Page 15, lines 9-14 (¶70 of the published application). In addition, the arrows drawn in Fig. 10 show the suspension 3 acting as a pivot. Accordingly, at least Figs. 10 and 10a provide the necessary illustration of the recited ability of the suspension to act as a pivot. The objection should therefore be withdrawn.

THE CLAIMS

Claims 1, 3, 5-27 and 33-39 were examined in the final Office Action. Claims 1 and 34 are the only independent claims. All of the claims are rejected. Reconsideration is respectfully requested.

DOUBLE PATENTING REJECTION

All of the claims are rejected for obviousness-type double patenting over claims of Azima (US 6,332,029). In order to overcome this rejection, but without acquiescing in it, applicants submit herewith a Terminal Disclaimer. The rejection is now moot, and should be withdrawn.

PRIOR ART REJECTIONS

The arguments below focus on the two independent claims, 1 and 34, and apply equally to all rejected claims that depend from them.

Independent Claim 1

Claim 1 is rejected under 35 U.S.C. §102(e) as anticipated by Azima, and by Parrella (US 5,901,231). However, as pointed out in previous argument, neither Azima's transducer nor Parrella's transducer is "adapted to apply **torsion** to the panel-form member."

The attached sketches 1-6 help to illustrate this point. The terms "bending couple," "torsion," and "shear," which are used to characterize the action of the vibration exciting system of this invention, are meant to describe the loading conditions depicted in sketches

1-4. In all cases, the resulting loading is a local twisting action on the panel, generated by direct torsion T (as in sketch 3), or by spatially separated opposite forces F (as in sketches 1, 2, 4).

Contrast this with Azima, in which an inertial exciter applies a normal force F to the panel (sketch 5), resulting in localized deflection without twisting; or with Parrella, in which a bender applies oppositely directed rotational moments M to the panel (sketch 6), also resulting in localized deflection without twisting.

It is important to note that there is a difference between the method of excitation and the panel's response to excitation. As far as panel response is concerned, almost any form of excitation will induce a response in the panel that will include some form of torsional contribution. However, what is being claimed here is how the exciting system applies energy to the panel – in this case in the form of a local twisting action, which is very distinct from Azima's and Parrella's. While the response of Azima's and Parrella's panels may involve some torsional contributions, the means of excitation is not at all torsional in nature.

Claim 23 (which depends from claim 1) requires special mention because it appears that the Examiner has misconstrued it. Claim 23 is directed to the embodiment of Figs. 24-26, which is described in the paragraph bridging pages 19 and 20 of the specification (¶84 of the published application). This embodiment comprises a bimorph device which imparts a twisting motion to the panel by virtue of diagonally oriented contraction and expansion of the components of the device. The Examiner's anticipatory reference to the diagonally disposed pair of devices in Parrella's Figs. 6A, 6B is therefore misplaced.